

## DRAWINGS

The attached sheets of drawings replace the original sheets of drawings included in the previous amendment. The only change is the cancellation of FIG 4, which had been added to the previous amendment. As a result no annotated drawings are attached.

Replacement sheet (3)

### **Remarks/Arguments**

This amendment is now ready for issue. It contains no new matter. In fact, while we respectfully disagree with the examiners' contention that FIG 4 represents new matter, we have removed FIG 4 from this amendment. The information contained in FIG 4 simply represents the normal usage of a hand-operated punch. Much of that information can be derived from a detailed review of Lee et al (5,749,278), particularly the figures associated with Lee et al.

The key and nonobvious difference between this invention as contained in this amendment and the combination of Lee et al and Snow (132,544) is the use of the housing to hold the adjustable apparatus of the invention. As the examiner has noted in paragraph 3 on page 4 of the office action mailed 02/10/2006 "..... and the adjustable apparatus (h) is an externally threaded piece of hardware located in a matching threaded insert attached to the frame ....". The invention does not attach to the frame, but to the housing, which contains the frame in Lee et al. There is no housing in Snow where the adjustable apparatus is manufactured as a permanent part of the frame and there is no teaching of need for a housing to contain that frame of Snow. Lee et al show a housing, which is used only for appearance since the invention of Lee et al is for a consumer item. The housing for Lee et al is used only to contain a logo or other graphic information for the punch. The invention of this amendment uses the housing as an integral part of this invention. The invention further provides the ability for the adjustable apparatus to be manufactured and provided as a separate element that can be attached to the housing of existing hand-held punches or as an element that can be partially fabricated as a part of the housing for newly manufactured hand-held punches.

Another feature of this invention that is not a teaching of Lee et al in combination with Snow or with any other references cited by the examiner, is the use of adjustable apparatus that can be temporarily attached to the housing of Lee et al to add the adjustable feature of this invention. The adjustable apparatus of Snow is both fixed and a part of the frame of the device rather than the housing. Of course, the housing of Lee et al is not designed for any type of adjustable apparatus either temporary or as a permanent part of that housing. Lee et al shows in Fig 1 a housing 50 that has a hole 51 to allow for the lever to extend through that hole, but that is the only function or mention of a housing. There is clearly no intent or teaching from Lee et al that the housing could be used to modify the use and products produced by the invention of Lee et al. The invention as amended makes unique use of the housing to provide the adjustable feature. As can be seen from a review of FIG 1 of Lee et al, it is not easy or trivial to design and mount an adjustable apparatus on the invention of Lee et al. there is no attempt in Lee et al to design a housing that could contain an adjustable screw controlled adjustable apparatus as specified in the invention.

We certainly believe that the above amendments have placed this invention in position for the issuance of a patent.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Peter J. C. Normington', with a long horizontal flourish extending to the right.

Peter J. C. Normington

Patent agent 50,308